

SENATE BILL 294
By Haun

AN ACT to amend Tennessee Code Annotated, Section 29-13-104 and Section 55-8-108, to provide that the decision of a law enforcement officer to initiate or continue a pursuit is not a proximate cause of any accident caused by a fleeing driver when the officer has probable cause to believe the driver is driving under the influence of an intoxicant or that the driver or any occupant of the fleeing vehicle has committed or is going to commit a felony and to provide for compensation for innocent third parties injured by fleeing vehicles.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-8-108 (e), is amended by deleting the second sentence and replacing it with the following:

The decision to initiate or to continue a pursuit is not a proximate cause of any accident caused by the operation of a vehicle by a fleeing driver in any case in which a law enforcement officer has probable cause to believe that the fleeing driver is in violation of Tennessee Code Annotated Section 55-10-401 or that the driver or any occupant of the vehicle has committed or is going to commit a felony.

SECTION 2. Tennessee Code Annotated, Section 29-13-104, is amended by inserting the following as item (3) and renumbering subsequent items accordingly:

(3) An accident involving the victim and a vehicle driven or occupied by one fleeing pursuit by a law enforcement officer;

SECTION 3. This act shall take effect upon becoming law, the public welfare requiring it.

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